

1 BILL NO. G-79-09-07

2 GENERAL ORDINANCE NO. G- 25-793 AN ORDINANCE amending General Ordinance  
4 No. G-97 by authorizing the vacation of  
5 two alleys between W. Washington and W.  
6 Jefferson and between S. Harrison and  
7 S. Calhoun Streets.8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
9 INDIANA:10 SECTION 1. Petition for the vacation of two alleys having been  
11 filed with the Fort Wayne City Plan Commission in accordance with Section 44,  
12 Chapter 174, of the Acts of the General Assembly of the State of Indiana,  
13 as amended by Section 3, Chapter 385, of the Acts of 1963 of the General  
14 Assembly of the State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as  
15 set forth in General Ordinance No. G-97 adopted by the Common Council of the  
16 City of Fort Wayne on November 26, 1963, is amended by deleting the following  
alleys, to wit:17 The North-South alley from the north right-of-way  
18 of Jefferson Street to the south right-of-way of  
19 Washington Street and the East-West alley from the  
20 east right-of-way of Harrison Street to the west  
21 right-of-way of Calhoun Street both within the  
22 block consisting of Lots 418 to 424 and Lots 448  
23 to 453 all in Hanna's Addition of the City of Fort  
24 Wayne, Allen County, Indiana.25 SECTION 2. After passage of this Ordinance, approval by the  
26 Mayor and legal publication, a duly certified copy of this Ordinance, of  
27 the recommendation of the Fort Wayne City Plan Commission, and of the  
28 action of the Mayor, shall be transmitted by the City Clerk to the Board  
29 of Public Works of the City of Fort Wayne, Indiana.30 SECTION 3. That this Ordinance shall be in full force and effect  
31 from and after its passage, approval by the Mayor and legal publication  
32 thereof.33   
34 Councilman35 APPROVED AS TO  
36 FORM & LEGALITY37   
38 William N. Salin, City Attorney

Read the first time in full and on motion by Nuckols, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E. S. T.

DATE: 9-11-79

Charles W. Winterman  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	_____	_____	<u>3</u>	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	<u>X</u>	_____
<u>MOSES</u>	_____	_____	_____	<u>X</u>	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>^</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	<u>X</u>	_____
<u>STIER</u>	<u>^</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 11-13-79

Charles W. Winterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-25-79 on the 13th day of November, 1979.  
ATTEST: (SEAL)

Charles W. Winterman  
CITY CLERK

James L. Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1979, at the hour of 11:30 o'clock A. M., E. S. T.

Charles W. Winterman  
CITY CLERK

Approved and signed by me this 19th day of November, 1979, at the hour of 4 o'clock \_\_\_\_\_ M., E. S. T.

Robert Armstrong  
MAYOR

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The Undersigned petitioners do hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following public alleys within the City of Fort Wayne, Indiana, and hereby described as follows:

The North-South alley from the north right-of-way of Jefferson Street to the south right-of-way of Washington Street and the East-West alley from the east right-of-way of Harrison Street to the west right-of-way of Calhoun Street both within the block consisting of Lots 418 to 424 and Lots 448 to 453 all in Hanna's Addition of the City of Fort Wayne, Allen County, Indiana

In support thereof, your petitioners would represent as follows:

- (1) That they are the owners of the real estate abutting both sides of the alleys.
- (2) The alleys lie within an urban renewal area and the urban renewal plan designates the vacation of the alleys to allow construction of a Civic Center and hotel.
- (3) That the vacation of the alleys would be advantageous to the growth of the City of Fort Wayne and would be to the best interest of the City and the citizen thereof.

Your petitioners file this petition pursuant to the authority granted in Indiana Code, Section 18-7-5-46, in order to complete the vacation as above described.

WHEREFORE, your petitioners pray that the above described alleys be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 7th DAY OF August, 19 79.

By: William J. Kelly, Vice Pres.  
PETRUSCO REALTY COMPANY  
913 South Calhoun Street  
Fort Wayne, Indiana 46802

Robert P. Turk  
Robert P. Turk, Executive Director  
FORT WAYNE REDEVELOPMENT COMMISSION  
Room 830, City-County Building  
Fort Wayne, Indiana 46802

R E S O L U T I O N

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys in Fort Wayne, Allen County, to-wit:

The North-South alley from the north right-of-way of Jefferson Street to the south right-of-way of Washington Street and the East-West alley from the east right-of-way of Harrison Street to the west right-of-way of Calhoun Street both within the block consisting of Lots 418 to 424 and Lots 448 to 453 all in Hanna's Addition to the City of Fort Wayne, Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 15, 1979 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alleys.

WHEREAS, said vacation of the alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alleys hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alleys hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alleys or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alleys in Allen County, Indiana.

STATE OF INDIANA)  
                                  ) SS:  
COUNTY OF ALLEN.)

I, Thomas G. Adams, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 15, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 29th DAY OF October 19 79

FORT WAYNE CITY PLAN COMMISSION

Thomas G. Adams  
Thomas G. Adams  
Secretary

RESOLUTION 68-114-4

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys situated in Fort Wayne, Allen County, to-wit:

The North-South alley from the north right-of-way of Jefferson Street to the south right-of-way of Washington Street and the East-West alley from the east right-of-way of Harrison Street to the west right-of-way of Calhoun Street both within the block consisting of Lots 418 to 424 and Lots 448 to 453 all in Hanna's Addition to the City of Fort Wayne, Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication; therefore;

WHEREAS, said vacation of public alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alleys hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alleys hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

COUNTY OF ALLEN

SS:

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held October 31, 1979 and as same appears of record in the official records of said Board of Public Works.

DATED THIS

31st

DAY OF

October 19 79

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg  
Henry P. Wehrenberg, Chairman

Max G. Scott  
Max G. Scott, Member

Ethel H. LaMar  
Ethel H. LaMar, Member

W. WASHINGTON

PARKING  
GARAGE

S. HARRISON

S. CALHOUN

W. JEFFERSON

EMBASSY THEATRE

CONSERVATORY

6-79-09-07

FORT WAYNE  
REDEVELOPMENT  
COMMISSION



DATE PROJECT TITLE



Alley Vacation

Civic Center

Renewal Project

Block 1

8-77

SCALE 1 in = 100 ft

0 50' 100'

LEGEND

Bill No. G-79-09-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending General Ordinance No. G-97 by authorizing the vacation  
of two alleys between W. Washington and W. Jefferson and between  
S. Harrison and S. Calhoun Streets

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

JOHN NUCKOLS.- CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

11-13-79 DATE CHARLES W. WESTERMAN, CITY CLERK